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RCE 2800 \$

PTO/SB/30(08-00)

Approved for use through 10/31/2002. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/900,423
Filing Date July 6, 2001
First Named Inventor Sell et al.
Group Art Unit 2828
Examiner Name Vy, Hung T.
Attorney Docket No. 42P14874

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other _____
- b. ☒ Check in the amount of \$ 770.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

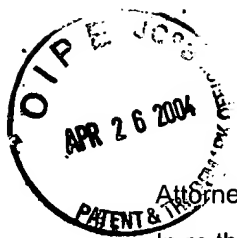
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Cory G. Claassen Registration No. (Attorney/Agent) 50,296
Signature [Signature] Date April 21, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print/Type) Yuko Tanaka
Signature [Signature] Date April 21, 2004



Attorney's Docket No.: 42P14874

Patent

In re the Application of: Sell et al.

(inventor(s))

Application No.: 09/900,423

Filed: July 6, 2001

For: HERMETICALLY SEALED EXTERNAL CAVITY LASER SYSTEM AND METHOD

(title)

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR: Transmitted herewith is a Response and Amendment for the above application.

 Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.

 A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.

 X No additional fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) |
|--|-----------------------------|-------|---------------------------------|---------------|
| | Claims Remaining After Amd. | | Highest No. Previously Paid For | Present Extra |
| Total Claims | * 32 | Minus | ** 38 | 0 |
| Indep. Claims | * 4 | Minus | *** 4 | 0 |
| <div><input type="checkbox"/></div> First Presentation of Multiple Dependent Claim(s) | | | | |

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY

| Rate | Additional Fee |
|----------------|----------------|
| X9 | \$ |
| X42 | \$ |
| +140 | \$ |
| Total Add. Fee | \$ |

OTHER THAN A SMALL ENTITY

| Rate | Additional Fee |
|----------------|----------------|
| X18 | \$ 0 |
| X84 | \$ 0 |
| +280 | \$ |
| Total Add. Fee | \$ 0 |

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on April 21, 2004
Date of Deposit

Yuko Tanaka
Name of Person Mailing Correspondence

Y. Tanaka
Signature

April 21, 2004
Date

_____ A check in the amount of \$_____ is attached for presentation of additional claim(s).
_____ Applicant(s) hereby Petition(s) for an Extension of Time of _____ month(s) pursuant to
37 C.F.R. § 1.136(a).

_____ A check for \$_____ is attached for processing fees under 37 C.F.R. § 1.17.
_____ Please charge my Deposit Account No. 02-2666 the amount of \$_____.

A duplicate copy of this sheet is enclosed.


 X The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the
following fees associated with this communication or credit any overpayment to Deposit Account
No. 02-2666 **(a duplicate copy of this sheet is enclosed):**

 X Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of
extra claims.

 X Any extension or petition fees under 37 C.F.R. § 1.17.

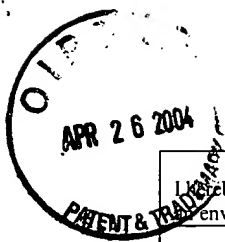
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: April 21, 2004



Cory G. Claassen
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Reg. No. 50,296

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(206) 292-8600

**FIRST CLASS CERTIFICATE OF MAILING**

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| April 21, 2004 Date Mailed | Yuko Tanaka Name | <i>Y. Tanaka</i> Signature | <i>April 21, 2004</i> Date |
|-------------------------------|---------------------|-------------------------------|-------------------------------|

Attorney Docket No.: 42P14874

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Sell et al.)

Examiner: Vy, Hung T.)

Application No.: 09/900,423)

Art Unit: 2828)

Filed: July 6, 2001)

For: HERMETICALLY SEALED EXTERNAL)
CAVITY LASER SYSTEM AND METHOD)

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Commissioner for Patents
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Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT

Sir/Madam:

In response to the Office Action mailed February 25, 2004, Applicants respectfully request the Examiner to enter the following amendments and consider the following remarks. Submitted herewith is a Requested for Continued Examination.